

#65  
6-8-06

**ORDINANCE NO.**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 4707 CASWELL DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 TO REMODEL AN EXISTING DUPLEX RESIDENCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance applies to the remodel of an existing duplex residence to create a larger duplex residence located at 4707 Caswell Drive. The two story structure will have a floor area of 3,800 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4(D) of Ordinance No. 20060309-058 which limits a remodel permit to increase the size of a duplex or single-family structure to the greater of the following:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) the existing size plus 1000 square feet, if the applicant has been granted a homestead exemption for the structure.

**PART 3.** Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

**PART 4.** A waiver is granted from Part 4(D) of Ordinance 20060309-058 to allow the remodel of an existing duplex residence to create a larger duplex residence located at 4707 Caswell Drive, for a total structure size not to exceed 3,800 square feet.

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2 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2006.

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4 **PASSED AND APPROVED**

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8 \_\_\_\_\_, 2006

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Will Wynn  
Mayor

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13 **APPROVED:**

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David Allan Smith  
City Attorney

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15 **ATTEST:**

\_\_\_\_\_  
Shirley A. Gentry  
City Clerk